

**THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON JULY 22, 2009, WITH THE FOLLOWING MEMBERS PRESENT: EDWIN H. HUMPHREY, PRESIDENT AND ROBERT L. PROUD, VICE PRESIDENT. LET THE RECORD SHOW THAT COMMISSIONER CROSWELL WAS ABSENT THIS DATE. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 1:00 P.M. BY THE PRESIDENT OF THE BOARD AND THE BOARD OF COUNTY COMMISSIONERS WAS HONORED TO HAVE SPC JARED FERGUSON OF THE UNITED STATES ARMY AND PFC DONALD H. LAWRENCE III AND SGT DEAN OSBORNE OF THE ARMY NATIONAL GUARD TO LEAD ALL PRESENT IN THE RECITATION OF THE PLEDGE OF ALLEGIANCE TO OUR FLAG.**

**LET THE RECORD SHOW:** The Board of County Commissioners presented SPC Jared Ferguson of the United States Army, and PFC Donald H. Lawrence III and SGT Dean Osborne of the United States Army National Guard with Certificates of Appreciation honoring them for their courageous commitment to our country. SPC Ferguson has returned home from a 15 month tour of duty in Afghanistan while PFC Lawrence and SGT Osborne will be departing shortly for Iraq. The Board commended their bravery and dedication to the cause of freedom. Kimberly Piol, The Thank You Foundation, presented a "Thank You" certificate to SPC Ferguson, PFC Lawrence and SGT Osborne. They were also presented with medallion challenge coins from Mark Coyle, Clermont County Veterans' Service Commission, Certificates of Recognition and medallion challenge coins from Sheriff Albert J. Rodenberg, and Congressional Proclamations from Gertrud Whitaker, on behalf of Congresswoman Jean Schmidt, honoring them for their service to our country and welcoming SPC Ferguson home and praying for the safe return of PFC Lawrence and SGT Osborne.

**LET THE RECORD SHOW:** Debra Gordon, Director, United Way of Greater Cincinnati – Eastern Area introduced Chris Humphrey, Manager, Success by 6, who provided an overview of the Success by 6 plan for Clermont County. Success by 6 engages local partners to ensure that the developmental needs of our youngest children ages 0 through 6 are understood and met. Early childhood programs are encouraged to participate in professional development, service collaboration and planning initiatives. In doing this, not only are children likely to succeed in school, they are more likely to achieve in life. Ms. Humphrey stated that Clermont County is fortunate to have an active early childhood community supported by leaders of public and private agencies. She also provided their website address, [www.sb6uwgc.org](http://www.sb6uwgc.org), to obtain more information about the Success by 6 program. (DC# 09-0723-004)

**LET THE RECORD SHOW:** Marty Lambert, Health Commissioner, Clermont County General Health District, provided the Board of County Commissioners with an overview of the 2009 Move a Measured Mile Program and presented an award to the Clermont County Mental Health and Recovery Board as the department who moved the greatest number of miles in relation to the number of employees during the Program.

**IN RE: BOARD OF COUNTY COMMISSIONERS...PROCLAMATION...  
DESIGNATING "CHILD SUPPORT ENFORCEMENT MONTH" IN  
CLERMONT COUNTY, OHIO...09-0605-001...ADOPTED**

Recommendation of the Board of County Commissioners, Clermont County, Ohio, to issue a Proclamation designating the month of August, 2009, to be "Child Support Enforcement Month" in Clermont County, Ohio.

**LET THE RECORD SHOW:** Brenda Gilreath, Assistant Director, Department of Job and Family Services/Child Support Enforcement Division, presented the Board of County Commissioners with a concise overview of the various initiatives within the Department of Child

Support Enforcement including new grant funds secured by the department, public service programs and activities scheduled during August 2009 for Child Support Month. (DC# 09-0605-001)

**IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 144-09/PAYMENT OF BILLS...ADOPTED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation that the Board of County Commissioners adopt Resolution Number **144-09** resolving to approve payment to vendors in the total amount of \$1,885,313.34 as set forth in the General Ledger Distribution Report(s) and Procurement Card Transaction Report presented by the County Auditor **07/20/2009**, and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

**IN RE: DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT... RESOLUTION NUMBER 145-09/RESOLUTION AUTHORIZING THE EXECUTION AND FILING OF AN OHIO WATER POLLUTION CONTROL LOAN FUND HOME SEWAGE TREATMENT SYSTEMS (HSTS) PROJECT NOMINATION FORM WITH THE OHIO ENVIRONMENTAL PROTECTION AGENCY/DIVISION OF ENVIRONMENTAL & FINANCIAL ASSISTANCE FOR THE 2009 SEPTIC REHABILITATION ARRA PROJECT...09-0715-001...ADOPTED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Raymond Sebastian, Chief Building Official, Department of Community Planning and Development, with the concurrence of Scot Lahrmer, Assistant County Administrator, to adopt Resolution Number 145-09 resolving to authorize Edwin H. Humphrey, President of the Board of County Commissioners, to execute an Ohio Water Pollution Control Loan Fund Home Sewage Treatment Systems (HSTS) Project Nomination Form for the 2009 Septic Rehabilitation ARRA Project for funding in the amount of \$180,000.00 through The American Recovery and Reinvestment Act of 2009 (ARRA) for the repair and/or replacement of home sewage treatment systems in Clermont County for submittal to the Ohio Environmental Protection Agency/Division of Environmental & Financial Assistance and, subsequent to notification of eligibility thereof, to authorize the execution of a Water Pollution Control Loan Fund Agreement by and between the County of Clermont, Ohio, and the Ohio Environmental Protection Agency and the Ohio Water Development Authority in and as it relates thereto pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

**IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS & SECURITY/THE TELECOMMUNICATIONS DIVISION (TTD)...ONE YEAR CONTRACT EXTENSION WITH CINCINNATI BELL TELEPHONE COMPANY, LLC FOR THE PROVISION OF MULTIPLE TELECOMMUNICATIONS VOICE & DATA TRANSPORT SERVICES...06-0515-004...RATIFIED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Stephen H. Rabolt, Director, Office of Technology, Communications and Security/The Telecommunications Division, with the concurrence of David L. Spinney, County Administrator, to resolve to approve the request for a one year contract extension with Cincinnati Bell Telephone Company, LLC., 221 East 4th Street, P. O. Box 2301, Cincinnati, Ohio 45201, previously ratified by the Board of County Commissioners on 08/02/06 and subsequently amended on 10/25/06 and 01/07/09, for the provision of Multiple Telecommunications Voice and Data Transport Services, for an additional one (1) year through 07/31/10, with modifications listed on Attachment A, pursuant to Section 10, at an estimated annual amount of \$233,624.04, with all other terms and conditions of the original Agreement to remain in full force and effect.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

**IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS & SECURITY/THE TELECOMMUNICATIONS DIVISION... MAINTENANCE PLAN AND ORDER CONFIRMATION FOR SOFTWARE SUPPORT AND UPDATES RELATIVE TO THE TELEMATE.NET SOFTWARE PRODUCT AND HARDWARE MAINTENANCE ON THE ASENTRIA CALL STORAGE DEVICES FOR SAME...09-0710-004...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, with the concurrence of David L. Spinney, County Administrator, resolved to approve and execute a Maintenance Plan and Order Confirmation by and between the Board of County Commissioners of Clermont County, Ohio, 101 East Main Street, Batavia, Ohio 45103 and TeleMate.Net Software, LLC, 5555 Triangle Parkway, Suite 150, Atlanta, Georgia 30092 for software support and updates relative to the TeleMate.Net Software Product and hardware maintenance on the four (4) Asentria Call Storage Devices, for a total amount not to exceed \$3,997.00, effective 09/01/09 thru 08/31/10, pursuant to the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

**IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY/THE TELECOMMUNICATIONS DIVISION... RESOLUTION DETERMINING PERSONAL PROPERTY AS NO LONGER NEEDED, OBSOLETE AND/OR UNFIT FOR COUNTY USE AND AUTHORIZING THE PLACEMENT OF THE IDENTIFIED PERSONAL PROPERTY ON THE DONATION TO AN ELIGIBLE NONPROFIT ORGANIZATION LIST...09-0710-003...APPROVED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Stephen H. Rabolt, Director, Office of Technology, Communications and Security/The Telecommunications Division, with the concurrence of David L. Spinney, County Administrator, that the Board of County Commissioners resolve to determine that the personal property, as described in Exhibit A, is obsolete or unfit for the use for which it was originally acquired and is no longer needed for use by the Office of Technology, Communications and

Security/The Telecommunications Division, and that the aforesaid stated personal property should be placed on the Donation to an Eligible Nonprofit Organization List, and hereby also authorizes the Office of Technology, Communications and Security/The Telecommunications Division to remove or delete all confidential or privileged information from each unit; delete these items from inventory; and to transfer the assets which will thereby become the responsibility of the receiving agency, as per Resolution Number 139-08.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

**IN RE: FACILITIES MANAGEMENT DEPARTMENT...CONTRACT FOR PROFESSIONAL SERVICES WITH ADVANTAGE GROUP ENGINEERS, INC. FOR THE PROVISION OF SPECIAL STRUCTURAL INSPECTIONS AT THE COMMUNICATIONS CENTER EXPANSION AND RENOVATION PROJECT LOCATED AT 2279 CLERMONT CENTER DRIVE, BATAVIA, OHIO...09-0617-001...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Wade Grabowski, Director, Facilities Management Department, with the concurrence of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, to execute a Contract for Professional Services by and between the Board of County Commissioners, Clermont County, Ohio, and Advantage Group Engineers, Inc., 660 Lincoln Avenue, Suite 305, Cincinnati, Ohio 45206 for the provision of Special Structural Inspections at the Communications Center Expansion and Renovation Project located at 2279 Clermont Center Drive, Batavia, Ohio 45103, for an amount not to exceed \$4,250.00, with said services to be completed within 365 consecutive calendar days upon issuance of a written Notice to Proceed from the Facilities Management Department.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

**IN RE: FACILITIES MANAGEMENT DEPARTMENT...CONTRACT FOR SERVICES WITH A & M SERVICE, INC. FOR THE INSTALLATION OF BEARING PROTECTION RINGS ON FOUR AIR HANDLER MOTORS ON THE HVAC SYSTEM AT THE CLERMONT COUNTY JUVENILE DETENTION FACILITY...09-0710-001...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Wade Grabowski, Director, Facilities Management Department, with the concurrence of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, to execute a Contract for Services by and between the Board of County Commissioners, Clermont County, Ohio, and A & M Service, Inc., 2422 Central Parkway, Cincinnati, Ohio 45214, for the Installation of Bearing Protection Rings on Four Air Handler Motors on the HVAC Systems at the Clermont County Juvenile Detention Facility located at 2340 Clermont Center Drive, Batavia, Ohio 45103, for an amount not to exceed \$2,112.40, with said services to be completed within 90 consecutive calendar days upon issuance of a written Notice to Proceed from the Facilities Management Department.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

**IN RE: FACILITIES MANAGEMENT DEPARTMENT...CONTRACT FOR SERVICES WITH A & M SERVICE, INC. FOR THE ROUTINE AND EMERGENCY REPAIR OF THE HVAC SYSTEMS AT THE CLERMONT COUNTY JUVENILE DETENTION FACILITY...09-0710-002...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Wade Grabowski, Director, Facilities Management Department, with the concurrence of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, to execute a Contract for Services by and between the Board of County Commissioners, Clermont County, Ohio, and A & M Service, Inc., 2422 Central Parkway, Cincinnati, Ohio 45214, for the Routine and Emergency Repair of the HVAC Systems at the Clermont County Juvenile Detention Facility located at 2340 Clermont Center Drive, Batavia, Ohio 45103, for an amount not to exceed \$3,684.00, with said services to be completed within 365 consecutive calendar days upon issuance of a written Notice to Proceed from the Facilities Management Department.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

**IN RE: TREATMENT ALTERNATIVES TO STREET CRIME...SERVICE AGREEMENT WITH ORION HEALTHCARE TECHNOLOGY, INC. FOR THE RENEWAL OF ONE USER SOFTWARE LICENSE FOR ACCESS ON THE WEB BASED ACCUCARE SYSTEM FOR SAME...09-0709-004...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Dee Hargitt, Director, Treatment Alternatives to Street Crime, with the concurrence of David L. Spinney, County Administrator, to execute a Service Agreement by and between the County of Clermont, Ohio and Orion Healthcare Technology, Inc., 1016 Leavenworth Street, Suite 101, Omaha, Nebraska, 68102. for the renewal of one (1) limited non-exclusive license for access on the web based AccuCare System, Adult Addiction Severity Index (ASI) module, for a total amount not to exceed \$480.00, allocated from State Grant Number 13-2960-TASC-O-10-9178, funded through the Ohio Department of Alcohol and Drug Addiction Services (ODADAS), effective 07/01/09 to 06/30/10, pursuant to the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

**IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...PURCHASE OF SERVICE AGREEMENT WITH FOUNDATIONS FOR LIVING FOR THE PROVISION OF RESIDENTIAL TREATMENT SERVICES FOR SAME...09-0427-001...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Tim McCartney, Director, Department of Job and Family Services, with the concurrence of David L. Spinney, County Administrator, to execute the Purchase of Service Agreement by and between the County of Clermont, Ohio and Foundations for Living, 1451

Lucas Road, Mansfield, Ohio 44903 for the provision of residential treatment services for children in the care and/or custody of the Department of Job and Family Services and/or Clermont County Juvenile Court, at the rate of \$205.00 per day, for the period of 07/22/09 through 03/31/10, pursuant to the terms and conditions specified therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

**IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...MEMORANDUM OF UNDERSTANDING WITH CLERMONT COUNTY FAMILY AND CHILDREN FIRST RELATIVE TO THE FAMILY AND CHILDREN FIRST LOCAL CONTRIBUTION POLICY...09-0507-002...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Tim McCartney, Director, Department of Job and Family Services, with the concurrence of David L. Spinney, County Administrator, to execute a Memorandum of Understanding by and between the Department of Job and Family Services and the Clermont County Family and Children First Council, whose administrative agent is the Clermont County Mental Health and Recovery Board, 1088 Wasserman Way, Suite B, Batavia, Ohio 45103, in which Clermont County Family and Children First Council is a partnership of local government agencies and community organizations committed to improving the well-being of children and their families, to allow the contribution of \$87,558.00 from the Department of Job and Family Services to the Clermont County Family and Children First Council, as outlined in the Family and Children First Local Contribution Policy, in which \$25,000.00 of the Department of Job and Family Services' contribution will be dedicated to support a position which provides various contract monitoring activities, including, but not necessary limited to, site visits to providers, interviewing children in placement, reports on each child interviewed, and investigating issues reported regarding providers, effective 07/01/09 through 06/30/10, pursuant to the terms and conditions specified therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

**IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...AMENDMENT TO THE RE-APPOINTMENT OF JOHN NELSON TO THE AREA 12 WORKFORCE INVESTMENT BOARD FOR SAME...09-0626-008...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Tim McCartney, Director, Department of Job and Family Services, with the concurrence of David L. Spinney, County Administrator, to execute the Amendment to the re-appointment of John Nelson to the Area 12 Workforce Investment Board pursuant to Section 117 of the Workforce Investment Act, previously ratified by the Board on 07/08/09, to accurately reflect the change in the organization in which John Nelson was previously employed by from International Paper to The R.E.A.D.S. Group LLC, 607 Ascot Drive, Maineville, Ohio 45039 with all other terms and conditions of the original Re-Appointments to the Area 12 Workforce Investment Board to remain in full force and effect.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

**IN RE:        HUMAN RESOURCES DEPARTMENT...REVISION   TO THE TABLE  
                 OF ORGANIZATION FOR THE DEPARTMENT OF COMMUNITY  
                 PLANNING        AND       DEVELOPMENT/BUILDING       INSPECTION  
                 DEPARTMENT...09-0706-004...ADOPTED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Robert E. Sander, Director, Human Resources Department, with the concurrence of David L. Spinney, County Administrator, to adopt a Revised Table of Organization for the Department of Community Planning and Development/Building Inspection Department to add a Neighborhood Stabilization Program (NSP) Grant Assistant position, Classification #40, Pay Range 6, effective 07/22/09.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea;        Mr. Humphrey, Aye;        Mr. Croswell, Absent.

**IN RE:        HUMAN RESOURCES DEPARTMENT...EXECUTION OF TUITION  
                 ASSISTANCE AGREEMENT FROM A CLERMONT COUNTY  
                 EMPLOYEE...09-0624-004...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Robert E. Sander, Director, Human Resources Department, with the concurrence of David L. Spinney, County Administrator, to execute a Tuition Assistance Agreement submitted by the following employee for participation in the Clermont County Tuition Assistance Program and to authorize reimbursement in the amount as outlined below, pursuant to Section 4.12 of the Clermont County Personnel Policy and Procedure Manual:

Department/Employee	Class Name	Amount
County Sheriff Jessica C. Wilson	General Biology I Adult Development	\$533.40

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea;        Mr. Humphrey, Aye;        Mr. Croswell, Absent.

**IN RE:        CLERMONT COUNTY WATER RESOURCES DEPARTMENT...  
                 CONTRACT FOR PROFESSIONAL SERVICES WITH H & M  
                 SURVEYING SERVICES, INC. RELATIVE TO SURVEYING SERVICES  
                 FOR VARIOUS WATER AND SEWER PROJECTS LOCATED WITHIN  
                 CLERMONT COUNTY...09-0513-002...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Carole S. Schulze, Program Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Water Resources Department, to execute a Contract for Professional Services by and between the County of Clermont, Ohio, and H & M Surveying Services, Inc., 119 West Main Street, P. O. Box 181, Amelia, Ohio 45102 relative to surveying services for various water and sewer projects located within Clermont County, for a total amount not to exceed \$100,000.00, with said services to be completed within 730 consecutive calendar days from the date of said contract with the option to renew for an additional two (2) year term, pursuant to the terms and conditions as set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...  
CONTRACT FOR PROFESSIONAL SERVICES WITH BURGESS &  
NIPLE, INC. FOR PROJECT NUMBER 621-0035 RELATIVE TO THE  
BOB MCEWEN WATER TREATMENT PLANT EXPANSION AND  
UPGRADE PROJECT LOCATED WITHIN BATAVIA TOWNSHIP...09-  
0710-005...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Chris Rowland, P.E., Project Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Water Resources Department, to execute a Contract for Professional Services by and between the County of Clermont, Ohio, and Burgess & Niple, Inc., 312 Plum Street, 12th Floor, Cincinnati, Ohio 45202 for Project Number 621-0035 relative to the Bob McEwen Water Treatment Plant Expansion and Upgrade Project located within Batavia Township, for a total amount not to exceed \$1,590,000.00, with said services to be completed within 500 consecutive calendar days upon issuance of a written Notice to Proceed from the Clermont County Water Resources Department, exclusive of County review time, pursuant to the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.

**IN RE: COUNTY ENGINEER...RESOLUTION NUMBER 146-09/RESOLUTION  
AUTHORIZING ACQUISITION BY CONTRACT IN LIEU OF  
APPROPRIATION LITIGATION FOR REAL PROPERTY OWNED BY  
ROBERT L. AND LINDA K. WESTBROOK, IN CONCERT WITH  
PROJECT NUMBER BA-14-01 RELATIVE TO THE SR 125 AT AMELIA  
OLIVE BRANCH ROAD INTERSECTION IMPROVEMENT PROJECT  
LOCATED IN BATAVIA AND PIERCE TOWNSHIPS...09-0213-  
003...ADOPTED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of Allan L. Edwards, Assistant Prosecuting Attorney, to adopt Resolution Number **146-09** authorizing the purchase of real property owned by Robert L. and Linda K. Westbrook, 1400 State Route 125, Amelia, Ohio 45102 for a portion of Parcel Number 03-49-28.-010A located in Batavia Township, which is necessary for Project Number BA-14-01 relative to the SR 125 at Amelia Olive Branch Road Intersection Improvement Project located within Batavia and Pierce Townships; consenting to the preparation of an Agreed Entry for Dismissal relative to Appropriation Case Number 2009CVH0634 as authorized in Resolution Number 26-09 adopted by the Board of County Commissioners on 03/04/09; acknowledging the value of land at \$158,443.00 of which \$25,240.00 has been deposited with the Clermont County Common Pleas Clerk of Courts; authorizing the issuance of payment of the remaining balance of \$133,203.00; and authorizing execution of the Settlement Agreement relative thereto, pursuant to the terms and conditions specified therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Humphrey, Aye; Mr. Croswell, Absent.



**IN RE:        COUNTY ENGINEER...RESOLUTION NUMBER 147-09/RESOLUTION AUTHORIZING ACQUISITION BY CONTRACT IN LIEU OF APPROPRIATION LITIGATION FOR REAL PROPERTY OWNED BY LARRY CANN AND MARK MULLEN, IN CONCERT WITH PROJECT NUMBER BA-14-01 RELATIVE TO THE SR 125 AT AMELIA OLIVE BRANCH ROAD INTERSECTION IMPROVEMENT PROJECT LOCATED IN BATAVIA AND PIERCE TOWNSHIPS...09-0306-007...ADOPTED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of Allan L. Edwards, Assistant Prosecuting Attorney, to adopt Resolution Number **147-09** authorizing the purchase of real property owned by Larry Cann and Mark Mullen, 6 Amelia-Olive Branch Road, Amelia, Ohio 45102 for a portion of Parcel Number 03-49-28.-010B located in Batavia Township, which is necessary for Project Number BA-14-01 relative to the SR 125 at Amelia Olive Branch Road Intersection Improvement Project located within Batavia and Pierce Townships; consenting to the preparation of an Agreed Entry for Dismissal relative to Appropriation Case Number 2009CVH0633 as authorized in Resolution Number 40-09 adopted by the Board of County Commissioners on 03/16/09; acknowledging the value of land at \$113,481.00 of which \$21,160.00 has been deposited with the Clermont County Common Pleas Clerk of Courts; authorizing the issuance of payment of the remaining balance of \$92,321.00; and authorizing execution of the Settlement Agreement relative thereto, pursuant to the terms and conditions specified therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea;        Mr. Humphrey, Aye;        Mr. Croswell, Absent.

**IN RE:        COUNTY ENGINEER...PRESIDENTIAL ESTATES II SUBDIVISION/ SECTION 1/BATAVIA TOWNSHIP...RELEASE OF THREE YEAR PERFORMANCE BOND FOR SIDEWALKS AND IN LIEU THEREOF ACCEPTANCE OF ONE YEAR PERFORMANCE BOND FOR SIDEWALKS AND FURTHER TO ACCEPT AMENDMENT NUMBER 003 TO THE LETTER OF CREDIT EXTENDING THE EXPIRATION DATE AND REDUCING THE AMOUNT FOR SAME...05-0120-002...RATIFIED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to authorize the release of a Three Year Performance Bond for Sidewalks for the following subdivision located within Batavia Township, and in lieu thereof, accept a One Year Performance Bond for Sidewalks in the amount as follows, and further, to accept Amendment Number 003 to extend the expiration date from 07/30/09 to 07/29/10 and to reduce the amount of the Performance Bond for Sidewalks as surety to \$11,140.00.

Subdivision	Three-Year Sidewalk Bond	One-Year Sidewalk Bond
Presidential Estates II Subdivision Section 1 Batavia Township	\$33,850.00*  *Secured by Irrevocable Standby Letter of Credit Number CIS406309 issued by Fifth Third Bank, 5050 Kingsley Drive, Cincinnati, Ohio 45263.	\$11,140.00*  *Secured by Irrevocable Standby Letter of Credit Number S406309, with Amendment No. 003, issued by Fifth Third Bank, 5050 Kingsley Drive, Cincinnati, Ohio 45263.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea;      Mr. Humphrey, Aye;      Mr. Croswell, Absent.

**IN RE:            COUNTY ENGINEER...RELEASE OF THREE YEAR PERFORMANCE BOND FOR SIDEWALKS AND IN LIEU THEREOF ACCEPTANCE OF ONE YEAR PERFORMANCE BOND FOR SAME...APPROVED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to authorize the release of a Three Year Performance Bond for Sidewalks for the following Subdivision located within Union Township, and in lieu thereof, to accept a One Year Performance Bond for Sidewalks in the amount as follows:

Subdivision	Three-Year Sidewalk Bond	One-Year Sidewalk Bond
Terrace Ridge Subdivision Section 1 Block A and B Union Township DC# 04-0409-005	\$81,750.00*  *Secured by Irrevocable Standby Letter of Credit Number S567602 issued by LaSalle Bank, 540 W. Madison – 26 <sup>th</sup> Floor, Chicago, Illinois 60661	\$10,000.00*  *Secured by Irrevocable Standby Letter of Credit Number 555 issued by The Bank of Kentucky, 111 Lookout Farm Drive, Crestview Hills, Kentucky 41017

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea;      Mr. Humphrey, Aye;      Mr. Croswell, Absent.

**IN RE:            COUNTY ENGINEER...TERRACE RIDGE SUBDIVISION/SECTION 1/BLOCK A AND B/UNION TOWNSHIP...ACCEPTANCE OF A ONE YEAR MAINTENANCE BOND FOR SAME...04-0409-005...ACCEPTED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to authorize the acceptance of a One Year Maintenance Bond in the amount listed below, for the construction of streets in the stated lengths within the following subdivision located in Union Township:

Subdivision	Maintenance Bond	Street Length (miles)
Terrace Ridge Subdivision Section 1 Block A & B Union Township	\$115,704.05*  *Secured by Cashier’s Check Number 308398, issued by The Bank of Kentucky, 111 Lookout Farm Drive, Crestview Hills, Kentucky 41017	Terrace Trace Court (0.070) Miami View Trails (0.348) Miami Hills Drive (0.197) Terrace Ridge Drive (0.257) Terrace Hill Trail (0.273)

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea;      Mr. Humphrey, Aye;      Mr. Croswell, Absent.

**IN RE:            COUNTY ENGINEER...TELFORD FARM SUBDIVISION/GOSHEN TOWNSHIP...RESOLUTION NUMBER 148-09/RESOLUTION AUTHORIZING THE CONVERSION OF A COMBINED PERFORMANCE-MAINTENANCE BOND FOR SAME...06-0106-**

007...ADOPTED

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to adopt Resolution Number **148-09** to convert the Combined Performance-Maintenance Bond in the amounts listed below, for the construction of streets in the stated lengths within the following subdivision located in Goshen Township, from the performance bond phase to the maintenance bond phase effective as of the date of conversion thereof:

Subdivision	Performance-Maintenance Bond	Street/Length (miles)
Telford Farm Subdivision Goshen Township Resolution Number <b>148-09</b>  *Secured by Irrevocable Standby Letter of Credit Number 17531-1 and Amendment Number 1 issued by CenterBank, Main Office, 744 State Route 28, P. O. Box 990, Milford, Ohio 45150	\$22,000.00/\$10,000.00	Telford Farm Lane (0.41 miles)

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea;      Mr. Humphrey, Aye;      Mr. Croswell, Absent.

**IN RE:            COUNTY ENGINEER...REQUEST FOR A TEMPORARY DETOUR TO THROUGH TRAFFIC ON WARDS CORNER ROAD IN MIAMI TOWNSHIP...09-0706-005...APPROVED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to authorize a temporary detour to through traffic on Wards Corner Road in Miami Township for the period of **Monday, 08/03/09, through Friday, 08/14/09** for a culvert replacement, with the understanding that the appropriate barriers and detour signs will be maintained during the afore stated temporary detour along an alternate route by the appropriate law enforcement agency therefore pursuant to Section 5543.17 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea;      Mr. Humphrey, Aye;      Mr. Croswell, Absent.

**IN RE:            CLERMONT COUNTY JUVENILE COURT AND PROBATE COURT...AGREEMENT WITH DOLBEY & COMPANY, INC. FOR THE PROVISION OF MAINTENANCE AND SUPPORT SERVICES RELATIVE TO THE FTR RECORDING SYSTEMS FOR SAME...09-0709-001...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Judge Stephanie Wyler, Clermont County Juvenile Court and Probate Court, with the concurrence of David L. Spinney, County Administrator, to execute an

Agreement by and between the County of Clermont, Ohio, and Dolbey & Company, Inc., 7164 Beechmont Avenue, Cincinnati, Ohio 45230-4128 for the provision of maintenance and support services relative to the FTR Recording Systems for the Clermont County Juvenile Court and Probate Court as outlined therein, for a total amount not to exceed \$3,254.00, effective 07/19/09 through 07/18/10, pursuant to the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea;      Mr. Humphrey, Aye;      Mr. Croswell, Absent.

**IN RE:      BOARD OF COUNTY COMMISSIONERS...AGREEMENT WITH OHIO-KENTUCKY-INDIANA (OKI) REGIONAL COUNCIL OF GOVERNMENTS FOR COMPREHENSIVE REGIONAL PLANNING SERVICES FOR THE COUNTY OF CLERMONT, OHIO...09-0630-003...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to execute an Agreement by and between the County of Clermont, Ohio, and the Ohio-Kentucky-Indiana (OKI) Regional Council of Governments, 720 East Pete Rose Way, Suite 420, Cincinnati, Ohio 45202 for comprehensive regional planning services for the County of Clermont, Ohio, for a total amount not to exceed \$64,477.00, effective 07/01/09 through 06/30/10, pursuant to the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea;      Mr. Humphrey, Aye;      Mr. Croswell, Absent.

**IN RE:      BOARD OF COUNTY COMMISSIONERS...SATISFACTION OF MORTGAGES RELATIVE TO THE SEPTIC SYSTEM REHABILITATION FINANCING PROGRAM...09-0709-002...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Thomas L. Blust, Chief Assistant Prosecuting Attorney, with the concurrence of David L. Spinney, County Administrator, to authorize Edwin H. Humphrey, President of the Board of County Commissioners, to execute Satisfaction of Mortgages, certifying that the mortgages as dated have been paid, satisfied, and authorized for release for the following properties as it relates to the Septic System Rehabilitation Financing Program, in concert with the Ohio Department of Development Small Cities Community Development Block Grant, as outlined below:

Name/Address	Parcel Number	Recorded/Dated
Angela M. Godfrey 5848 Belfast Owensville Road Batavia, Ohio 45103	30-29-04E-059.	Mortgage Volume 1780 Pages 1578-1580 Dated 06/01/04
David E. Rice and Debra S. Rice 3722 McKeever Schoolhouse Road Williamsburg, Ohio 45176	52-35-06K-029.	Mortgage Volume 1752 Pages 2517-2519 Dated 03/17/04
Kathy A. Balser 3565 Starling Road Bethel, Ohio 45106	32-30-15D-100.	Mortgage Volume 1752 Page 2514-2516 Dated 03/17/04

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea;      Mr. Humphrey, Aye;      Mr. Croswell, Absent.

**IN RE:        MAINTENANCE AGREEMENTS FOR VARIOUS DEPARTMENTS FOR  
                 THE        PROVISION        OF        MAINTENANCE        ON        OFFICE  
                 EQUIPMENT...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Requests from various departments to approve Maintenance Agreements with various vendors for the provision of maintenance on the following equipment at the rates and the terms outlined below pursuant to the terms and conditions set forth therein and to authorize David L. Spinney, County Administrator, to execute the Maintenance Agreements and the Rider for Equipment Maintenance Agreements attached thereto:

Elected Official or Department	Vendor	Equipment/Model #/ Serial Number(s)	Rate	Term
Clermont County Common Pleas Clerk of Courts DC# 09-0710-006	Tronitech, Inc. 8719 Boehning Lane Indianapolis, Indiana 46219	Minolta MS6000/MSP3000 Scanner/Printer System S/N: 33009919	\$1,566.15 plus \$0.02 per copy in excess of 30,000 copies	09/11/09 through 09/10/10

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea;        Mr. Humphrey, Aye;        Mr. Croswell, Absent.

**IN RE:        BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER  
                 149-09/RESOLUTION DESIGNATING US BANK, NA AS PUBLIC  
                 DEPOSITORY FOR THE ACTIVE FUNDS OF CLERMONT COUNTY,  
                 OHIO;   EXECUTING A MEMORANDUM OF AGREEMENT FOR  
                 DEPOSIT OF PUBLIC FUNDS RELATIVE THERETO; AND  
                 EXERCISING THE RENEWAL OPTION FOR CONTINUATION OF  
                 BANKING SERVICES WITH US BANK, NA...09-0507-003...ADOPTED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of J. Robert True, Clermont County Treasurer, with the concurrence of David L. Spinney, County Administrator, to adopt Resolution Number **149-09** resolving to designate US Bank, NA as the Public Depository for the Active Funds of Clermont County, Ohio, for the period of August 24, 2009 through August 23, 2013 pursuant to and in compliance with Section 135.33 (C) of the Ohio Revised Code and to approve and sign the Memorandum of Agreement for Deposit of Public Funds by and between the County of Clermont, Ohio, and US Bank, NA designated Exhibit A attached thereto and made a part thereof, and further resolving to exercise the renewal option to continue banking services with US Bank, NA as stated therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea;        Mr. Humphrey, Aye;        Mr. Croswell, Absent.

**IN RE:        BOARD OF COUNTY COMMISSIONERS...FINANCIAL/BUDGETARY  
                 ACTIONS FOR FISCAL YEAR 2009...APPROVED**

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of the Office of Management and Budget, with the concurrence of David L. Spinney, County Administrator, to approve financial/budgetary actions as they relate to changes in the Annual Appropriation Resolution for Fiscal Year 2009 (Resolution Number 194-08)

and/or interfund transactions as outlined in the following table(s) and to authorize Linda Fraley, County Auditor, to properly record same:

SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2009:

\$        300,000.00	Felony Delinquent Care & Custody Fund	260-4143-5300	Purchased Services
----------------------	---------------------------------------	---------------	--------------------

BUDGET TRANSFER OF FUNDS:

\$        3,400.00	From Public Assistance Fund 204-6245-5112 to 204-6245-5118 (Workforce Investment Act Regular Salary to Temporary Salaries)
\$        2,500.00	From Williamsburg Batavia Bike Trail Fund 431-9709-6600 to 431-9709-5700 (Capital Outlay to Materials & Supplies)

ADVANCE OF FUNDS:

\$    100,000.00	From General Fund 100-1308-7222-0218 to Community Transportation Connection Fund 218-0218-4961
------------------	--

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea;        Mr. Humphrey, Aye;        Mr. Croswell, Absent.

IN RE:        TRAINING AND TRAVEL REQUESTS...REIMBURSEMENT OF EXPENSES RELATIVE TO SAME...APPROVED

Moved by Mr. Proud, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to approve the following requests for reimbursement of expenses for training and travel pursuant to the policies and procedures of the Board and in compliance with the Annual Appropriations for Fiscal Year 2009 and any and all amendments subsequent thereto:

CLERMONT COUNTY WATER RESOURCES DEPARTMENT

**Dustin Steger:** Three (3) days – Columbus, Ohio – County Engineers Association of Ohio 19<sup>th</sup> Annual Ohio Geographic Information Systems Conference and Trade Show – Total expenses not to exceed \$815.10.

CLERMONT COUNTY COURT OF COMMON PLEAS/DOMESTIC RELATIONS DIVISION

**Michael Finney:** Four (4) days – Columbus, Ohio – Ohio Association of Magistrates Fall 2009 Conference – Total expenses not to exceed \$882.50.

**Deborah Cadwallader:** Three (3) days – Columbus, Ohio – Supreme Court of Ohio Judicial College Court Management Program – Total expense not to exceed \$623.50.

PUBLIC DEFENDER

**Anita M. Bechmann:** One (1) day – Columbus, Ohio – Ohio Public Defender Meeting sponsored by Children’s Law Center, Inc. – Total expenses not to exceed \$126.18.

COUNTY ENGINEER

**Todd Gadbury, Doug Royer and Jon Carpenter:** Three (3) days – Columbus, Ohio – County Engineer’s Association of Ohio Bridge Conference – Total expenses not to exceed \$1,698.00.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea;        Mr. Humphrey, Aye;        Mr. Croswell, Absent.

**IN RE: PERSONNEL ACTION FORMS...APPROVED**

\* THE OFFICIAL RECORD OF PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, RELATIVE TO PERSONNEL ACTIONS IS AVAILABLE FOR PUBLIC INSPECTION UPON REQUEST MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M. LOCAL TIME.

**LET THE RECORD SHOW:** That a motion by Mr. Proud, seconded by Mr. Humphrey, to approve the minutes of Work Sessions of **05/11/09, 06/16/09 and 07/08/09** carried with all members present voting affirmatively thereon.

**LET THE RECORD SHOW:** That a motion by Mr. Proud, seconded by Mr. Humphrey, to approve the minutes of Regular Session of **07/22/09** carried with all members present voting affirmatively thereon.

**LET THE RECORD SHOW:** That the President of the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 2:38 P.M.

**BOARD OF COUNTY COMMISSIONERS  
CLERMONT COUNTY, OHIO**

**EDWIN H. HUMPHREY, PRESIDENT  
ROBERT L. PROUD, VICE PRESIDENT  
R. SCOTT CROSWELL III, MEMBER**

**JUDITH KOCICA, CLERK OF THE BOARD**

**DATE APPROVED – 07/22/09**